



13
Dwight Gori
PATENT
Wpt.
Coker
9-17-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: :
Miriam Fields-Babineau :
Serial No.: 09/736,408 : Art Unit: 3644
Filed: December 15, 2000 : Examiner: Smith, Kimberly
For: COMFORT TRAINER : Atty Docket: 4523-001
("CANINE HEAD HALTER") : (MFB-0001)
: :
: :

REQUEST TO APPROVE PROPOSED DRAWING CHANGES

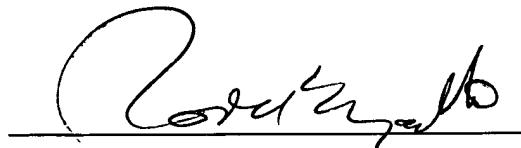
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully request that the Examiner approve the changes to the drawings as indicated in red on the attached sheets. The enclosed drawing changes do not introduce new matter and the Examiner's approval of the proposed drawing changes is respectfully requested.

The Applicant will submit formal drawings upon receiving a Notice of Allowance.

Respectfully submitted,



Date: August 20, 2002

704 South 18th Street, #200
Arlington, VA 22202-2702
Telephone: (703) 271-0600
Facsimile: (703) 271-0601
TEM/sef

Todd E. Marlette
Registration No. 35,269

RECEIVE
AUG 26 2002

GROUP 3600



13
Reb to
Issue
PATENT
Office
Action
Copy
9-17-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Miriam Fields-Babineau :
Serial No.: 09/736,408 : Art Unit: 3644
Filed: December 15, 2000 : Examiner: Smith, Kimberly
For: COMFORT TRAINER : Atty Docket: 4523-001
("CANINE HEAD HALTER") : (MFB-0001)
: :
: :

REQUEST TO ISSUE NON-FINAL OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

It is respectfully submitted that the Supplemental Response and Amendment submitted herewith place the subject application into condition for allowance. However, in the event that the Examiner does not agree, the Examiner is respectfully requested to issue a non-final Office Action, as follows:

The reference to Mugford, U.S. Patent No. D458,717 S was not available to applicants due to the issue date of June 11, 2002. However, the Mugford reference was available to the Examiner, and under information and belief, is the same party in interest as the HALTI, referenced in the Background section of the subject application.

The Examiner relies upon Borchelt by way of the Office Action dated February 8, 2002. As reported by news

RECEIVED
AUG 26 2002

GROUP 3600

Serial No.: 09/736,408

Atty. Docket: 4523-001

organizations, Borchelt has been involved in litigation calling

into question the utility of a the Borchelt invention to

effectively maintain control a dog. The Examiner is respectfully

requested to consider withdrawal of the Borchelt reference for

lack of utility.

In accordance with the above extra-ordinary circumstances, should a subsequent Office Action be required, the Examiner is respectfully requested to make the Office Action non-final.

Respectfully submitted,

Date: 8/20/02
704 South 18th Street, #200
Arlington, VA 22202-2702
Telephone: (703) 271-0600
Facsimile: (703) 271-0601
TEM/sef



Todd E. Marlette

Registration No. 35,269



11/3644
Suppl. Cx
PATENT

IDS
Copy
9-12-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Miriam Fields-Babineau :
Serial No.: 09/736,408 :
Filed: December 15, 2000 :
For: COMFORT TRAINER :
("CANINE HEAD HALTER") :
: :
: :
: :

Art Unit: 3644

Examiner: Smith, Kimberly

Atty Docket: 4523-001
(MFB-0001)

TRANSMITTAL LETTER

RECEIVED

AUG 26 2002

GROUP 3300

Sir:

Transmitted herewith are:

- Supplemental Response and Amendment
- Request to Approve Proposed Drawing Changes
- IDS with form 1449 (2 pgs) and 18 references
- Request to Issue Non-Final Office Action
- check in the amount of \$ 222.00



(Col 1)		(Col 2)		(Col 3)		SMALL ENTITY		LARGE ENTITY	
	NUMBER OF CLAIMS FILED		HIGHEST # PREVIOUSLY PAID FOR		NOW PRESENTING EXTRA	RATE	FEES	RATE	FEES
Total	20	minus	20		0	x 9 =	\$ 0.00	x 18 =	\$ 0.00
Independent	4	minus	3		1	x 42 =	\$ 42.00	x 84 =	\$ 0.00
<u>First Presentation, Multiple Depend Claims</u>									
Petition for 1 Month Extension of Time									
IDS FILING FEE									
Filing Fee + surcharge									
						TOTAL	\$ 222.00	TOTAL	\$ 0.00

A check in the amount of \$ \$222.00 made payable to the U.S. Patent and Trademark Office.

It is not believed that further extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary or if the fee calculation is in error, please contact the undersigned attorney so that appropriate correction may be made.

Respectfully submitted,

Date: 8/20/02

704 South 18th Street, #200
 Arlington, VA 22202-2702
 Telephone: (703) 271-0600
 Facsimile: (703) 271-0601
 TEM/sef

Todd E. Marlette
 Registration No. 35,269

RECEIVED
 C.GROUP 3600
 AUG 26 2002

Facsimile Cover Sheet

To: Ms. Cofer

Company/Firm: USPTO

Fax No.: 703-305-7658

From: Todd E. Marlette

Our Ref.: MFB-0001 (4523-001)

Your Ref.: 09/736,408

Date: September 13, 2002

Pages (including cover page):

16

NOTES:

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that on 9/13/02 (date of fax), this
SECOND SUPPLEMENTAL AMENDMENT
DECLARATION UNDER 1.132

is/are being faxed to the United States Postal Service under 37 C.F.R. §1.8 at the address
listed above to: Assistant Commissioner for Patents, Washington, D.C. 20231, by:

Todd E. Marlette

THE INFORMATION CONTAINED HEREIN is intended only for the exclusive use of the Individual or Entity Named Above. The Information may contain Information that is Privileged, Confidential, or otherwise exempt from disclosure under applicable law. If the reader of this Information is NOT the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this Information in any way is strictly prohibited. If you have received this communication in error, kindly call us immediately and return the original Information to us via U.S. Postal Service. Our Facsimile Number is (703) 271-0601.